



Agenda Item Number: 2009-3-14C

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: March 17, 2009

Department: Fire and Rescue **Staff Contact:** John Dantis, Deputy County Manager for Public Safety
John Garcia, Chief
Frank Barka, Deputy Chief
Chris Gober, Fire Marshal

TITLE: Bernalillo County Weed Abatement Ordinance

ACTION: Discussion of proposed Weed Abatement Ordinance

SUMMARY:

The objective of the Weed Abatement Ordinance is to establish minimum regulations consistent with nationally recognized standard practices for the safeguarding of life and property. Regulations in this ordinance are intended to limit the risk to life and structures from intrusion from wildland fires adjacent to structures and to limit structure fires from spreading to wildland fuels.

The proposed ordinance provides a means for Bernalillo County to abate weeds or other hazardous vegetation in an effort to protect the health and safety of the citizens of Bernalillo County, from the hazards created by weed growth, upon streets, sidewalks, or private property. The Ordinance will be enforced by the Bernalillo County Fire Department and Building and Zoning officials while conducting their normal business activities and through referrals from the public or other governmental agencies.

All landscape materials, vegetation, defensible space or other devices or safeguards required by this ordinance shall be maintained in conformance to the ordinance. The owner or the owner's designated agent shall be responsible for the maintenance of landscape materials and vegetation. Where the acreage of property is larger than two (2) contiguous acres, the property owner is required to have a twenty (20) foot wide strip of land cleared at the boundaries of the property. This will create a fire break between the properties and surrounding properties in order to limit spread of fire to adjacent properties and structures.

When County officials find any premise that is in violation of this code, Bernalillo County is authorized to issue corrective orders and notices. Orders and notices authorized or required by this Ordinance shall be given or served on the owner, operator, occupant or other person responsible for the condition or violation. Orders or notices that are given verbally will be confirmed in writing at a later date.

The Bernalillo County Fire Department offers Defensible Space classes for the general public allowing property owner's that are found in violation of this ordinance assistance if needed. Having the Weed Abatement Ordinance will not only protect the citizens of Bernalillo County

from fire , but will also help create a cleaner more beautiful environment for everyone to work, live and visit.

ATTACHMENT:

1. Copy of proposed Ordinance

FISCAL IMPACT

There is no Fiscal Impact at this time.

STAFF ANALYSIS SUMMARY

COUNTY MANAGER

See summary. TL 3/7/09

DEPUTY COUNTY MANAGER FOR PUBLIC SAFETY

The unincorporated areas of Bernalillo County are more than ever a mixture of urban and rural communities. In an effort to ensure public safety and work to balance each areas needs it has become important to bring this issue to the Commission for their review, discussion and further direction. JDantis 03/02/09

LEGAL

Approved as to form. PFT 2/25/09

FINANCE

Budget	Adoption of this agenda item will allow the County to adopt the Weed Abatement Ordinance. There is no fiscal impact as a result of this agenda item. Any savings could only be determined after a few years of data collection. Jennifer N. Gallegos, Financial Administrator III, 02/26/09
Purchasing	No comment required on proposed motion. Colin Spencer, Senior Buyer 2/25/09
Contracts	No comment required on proposed motion. Colin Spencer, Senior Buyer 2/25/09